

with McIntyre and Forrest discloses all the limitations of Appellants' claims, such a combination is impermissible because McIntyre teaches away from Appellants' claimed invention. Specifically, McIntyre discloses that advertisers are not to be directly contacted, thereby inhibiting receiving any consumer feedback. For this reason alone, claims 38-41 and 43 are allowable.

In view of the foregoing grounds of rejection lacking necessary factual foundation, Appellants request review and reversal of the aforementioned grounds of rejection.

(7) Argument

Ground of Rejection #1

I. Claims 33-37, 42, 44-49, and 64-70 are improperly rejected under 35 U.S.C. § 103(a) because the alleged combination of Guyett with McIntyre fails to disclose all of Appellants' claimed limitations

Summary

In the final Office action, claims 33-37, 42, 44-49, and 64-70 are allegedly unpatentable over U.S. Patent No. 6,764,395 to Guyett ("Guyett") in view of U.S. Patent App. Pub. No. 2003/0191690 to McIntyre ("McIntyre"). Appellants are contesting this ground of rejection as the combination of Guyett with McIntyre fails to disclose each and every one of the limitations recited in Appellants' claims 33-37, 42, 44-49, and 64-70. Applicants also contest this ground of rejection because McIntyre teaches away from the aspects cited in Guyett and, therefore, the alleged combination is impermissible. For purposes of this section, three groups of claims are argued separately: (i) claims 33-37, 42, 45, and 67; (ii) claims 44 and 46-49; and (iii) claims 64-66 and 68-70.

Applicable Law

A claimed invention is unpatentable if the differences between it and the prior art are such that the subject matter as a whole would have been obvious at the time the